

**ENVIRONMENTAL CONDITION
OF PROPERTY**

**SIERRA ARMY DEPOT HERLONG PARCEL MODS AREA
#2 EXCESS
HERLONG, CALIFORNIA**

AUGUST 1997

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UNITED STATES ARMY MATERIEL COMMAND
ALEXANDRIA, VIRGINIA 22333**

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1.0 PURPOSE

The purpose of this document is to certify the environmental condition of the described parcel of land known as the Herlong #2 Excess Parcel mods section (approximately 20 acres to include four buildings) that will be transferred. The parcel will be transferred from Army control to the control of another Federal agency, Indian Health Service (IHS). This action is being taken by the Army in order to comply with the requirements of Public Law 102-426 and Army Regulation 200-1 sec. 15-6b that identifies the use of an ECOP as the proper method of transfer for a Federal to Federal transfer.

2.0 PROPERTY DESCRIPTION

The Property to be transferred consists of approximately 20 acres to include four buildings (Buildings 165, 166, 167, and 168) in the Herlong Parcel (Map 1). The Environmental Baseline Survey (EBS) refers to the large areas that include this parcel as the Herlong Parcel.

3.0 ENVIRONMENTAL CONDITION OF PROPERTY

The United States Army determined the property's environmental condition by conducting an EBS that included reviewing existing environmental documents and making associated visual site inspections. The document review included the Community Environmental Response Facilitation Act (CERFA) Investigation for the Herlong Parcel as well as various remedial investigation/feasibility study documents. The EBS also included a records review, personnel interviews, and a visual inspection.

The determination of environmental condition considered the intent to transfer 4 buildings and approximately 20 acres of the Herlong Parcel covered in this ECOP to the IHS. The determination of the property's environmental condition considered IHS's intended reuse of the property as a site for a counseling and substance abuse rehabilitation center.

The EBS categorizes all land and buildings within this property as Department of Defense (DoD) Environmental Category 1. Under new Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Sec.120 (h) (4) definitions, Category 1 is defined as, "Areas where no release, or disposal of hazardous substances or petroleum products has occurred (including no migration of these products from adjacent areas)".

3.1 Asbestos: The Army completed Asbestos surveys in 1988 conducted by IT Corporation (IT). The surveys were depot wide and included approximately 184 buildings. The IT Report investigations identified friable asbestos in

buildings 165, 166, 167, and 168. "As of October 1995, according to Mr. Allen Vanderville, Engineering Technician with SIAD DPW, friable ACM identified in the IT report has been removed from all buildings surveyed on the Herlong Parcel." (Final Environmental Baseline Survey CERFA Report, Sierra Army Depot Reuse Parcels Lassen County California, (Harding Lawson Associates, March 1997))(EBS). Historically, asbestos-containing material (ACM) has been removed by the Army when encountered during the course of routine repairs and upgrades. Non-friable asbestos was a common building material; however, in consideration of current Army and DoD policy, if non-friable asbestos does exist there are no plans to remove the remaining non-friable ACM from buildings 165, 166, 167, and 168. The following asbestos notification shall be incorporated verbatim in the Letter of Transfer:

Notice of the Presence of Asbestos and Agreement

A. The IHS is hereby informed and does acknowledge that non-friable asbestos or asbestos-containing materials (collectively "ACM") has been found on the property, as described in the Environmental Condition of Property (ECOP) prepared by the Army to accompany the transfer of the Herlong #2 Excess and northwest corner of the Southwest Corner Parcel to the IHS.

B. The IHS agrees that its future use of the property after the date of this transfer will be in compliance with all applicable laws relating to asbestos, that the Army will have no liability for future remediation of asbestos, and that the Army will have no liability for damages for personal injury, illness, disability, or death, to the Transferee, its employees, officers, or agents, or any successors or assigns, lessees, licensees, or to any other person, including members of the general public, arising from or incident to the purchase, transportation, removal, handling, use, disposition, or other activity causing or leading to contact of any kind whatsoever with asbestos on the property, whether the IHS, its successors or assigns have properly warned or failed to properly warn the individual(s) injured. The IHS agrees to be responsible for any further remediation of ACM found to be necessary on the property, after the property has been transferred.

3.2 Lead-Based Paint (LBP): Limited LBP surveys were completed by the Army in the Herlong Parcel in 1993 and 1994. The surveys were of buildings constructed on or prior to 1976 and were considered representative of the buildings of this time period. Buildings 165, 166, 167, and 168 were constructed in time period (1976); however, they were not sampled. LBP was identified in the buildings sampled. Sampling results for the Herlong Parcel Buildings ranged from 3.4 to 150 mg/kg lead (Section 4.2.2.1 and Appendix C of EBS). These levels are well below the EPA threshold of 5,000 mg/kg lead for abatement of LBP in residential structures. Because of their age, it is presumed that buildings 165, 166, 167, and 168 contain LBP. Additionally, random soil samples (Weiss Associates Report 1996) were taken near structures on the Herlong Parcel. No sample exceeded 20 parts per million for lead. The following LBP notification shall be included verbatim in the Letter of Transfer:

A. The Transferee is hereby informed and does acknowledge that all buildings on the property, which were constructed or rehabilitated prior to 1978, are presumed to contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. The Transferee is notified that the property may, if used for Residential Real Property (including use of any non-dwelling facilities by children under seven years of age, such use as a child care center or playground area), present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning.

B. Available information concerning known lead-based paint and/or lead-based paint hazards, and the location of lead-based paint and/or lead based paint hazards is listed above and can be found in the EBS, which shall be provided to the Transferee prior to transfer. Additionally, the transferee has been provided with the federally approved pamphlet on lead poisoning prevention. The Transferee hereby acknowledges receipt of all of the information described in this subparagraph.

C. The Transferee acknowledges that it has received the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and or lead-based paint hazards prior to execution of this Letter of Transfer.

D. The Transferee agrees that it shall not permit the occupancy or use of any buildings, facilities, or structures on the Property as Residential Real Property without complying with this section and all applicable federal, state, and local laws and regulations pertaining to lead-based paint and/or lead-based paint hazards. Prior to permitting the use

or occupancy of Residential Real Property on the Property, if required by law or regulation, the Transferee, at its sole expense, will: (1) inspect for the presence of lead-based paint and or lead-based paint hazards; (2) abate and eliminate lead-based paint hazards in accordance with all applicable laws and regulations; and (3) comply with all applicable notice and disclosure requirements under applicable federal and state law. The Transferee agrees to be responsible for any remediation of lead-based paint or lead-based paint hazards on the property found to be necessary after the date of this transfer.

E. The Army assumes no liability for remediation or damages for personal injury, illness, disability, or death, to the Transferee, its officers, employees, or agents, or its successors or assigns lessees, licensees, or to any other person, including members of the general public, arising from lead-based paint or lead-based paint hazards on the property after the date of transfer.

3.3 Radon: Radon surveys were conducted for selected buildings on the Herlong Parcel, there were no findings above 4pCiL. Radon is not an impacting issue in this transfer.

3.4 Radioactive Materials: No radioactive materials were stored or used on the property.

3.5 Polychlorinated Biphenyls (PCBs): No releases of PCB-contaminated transformer dielectric fluids or other PCB-contaminated fluids have been reported on the property.

3.6 Petroleum Hydrocarbons: The Herlong #2 Excess Parcel Mods Area contains a prior Installation Restoration Program (IRP) site (the Old Fire-Fighting Training Facility (OFFT)). The site was identified in a signed Record of Decision (ROD) September 1995 as a site requiring no further action. The OFFT investigations showed no releases of petroleum hydrocarbons or other chemicals of concern occurred at the OFFT.

3.7 Solid Waste Management Units (SWMUs): The Herlong #2 Excess Parcel adjacent to a closed no further action SMWU, the OFFT. No other SWMUs were identified on the property. This unit will pose no adverse impact to the transfer.

3.8 Groundwater Monitoring: No groundwater monitoring wells are located on or near the Herlong #2 Excess Parcel Mods Area.

3.9 Adjacent Property: Environmental conditions on adjacent parcels are not known to adversely affect the property for the purposes of

property transfer. An IRP site, the Building 1003 Area (BU1) is located less than 1/4 mile to the northwest of the Herlong #2 Excess Parcel. The BU1 Site is a petroleum contaminated soils site. A Record of Decision was signed in October 1996 identifying the remedial action remedy as soils removal to an off-site location. This action will be completed prior to the summer of 1998. No adverse impact to the property is anticipated from this condition.

4.0 REGULATORY COORDINATION

The Army provided the EBS to the U.S. Environmental Protection Agency, Region IX and the California EPA for review. Both agencies concur that the Army has adequately characterized the environmental condition of the property. The agencies' concurrence letters must be attached to this document for the concurrence to be valid.

5.0 CONCLUSION